

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

PERCELL WASHINGTON WILLIAMS,

Plaintiff,

v.

Civil Action No. 3:17CV37

MICHELE WINSLOW-PICHARDO, *et al.*,

Defendants.

MEMORANDUM OPINION

Plaintiff, a federal inmate proceeding *pro se* and *in forma pauperis*, filed this 42 U.S.C. § 1983 action. In order to state a viable claim under 42 U.S.C. § 1983, a plaintiff must allege that a person acting under color of state law deprived him or her of a constitutional right or of a right conferred by a law of the United States. *See Dowe v. Total Action Against Poverty in Roanoke Valley*, 145 F.3d 653, 658 (4th Cir. 1998) (citing 42 U.S.C. § 1983). Plaintiff failed to provide each defendant with fair notice of the fact and law upon which his liability rests. Accordingly, by Memorandum Order entered on May 24, 2017, the Court directed Plaintiff to submit a particularized complaint within fourteen (14) days of the date of entry thereof. The Court warned Plaintiff that the failure to submit the particularized complaint would result in the dismissal of the action.

More than fourteen (14) days have elapsed since the entry of the May 24, 2017 Memorandum Order. Plaintiff failed to submit a particularized complaint or otherwise respond to the May 24, 2017 Memorandum Order. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate order will accompany this Memorandum Opinion.

Date:

Richmond, Virginia

6/20/17

/s/
John A. Gibney, Jr.
United States District Judge

